

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire  
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Attorneys for Secured Creditor  
M&T Bank

In Re:  
Michael Capadona & Dawn Capadona,  
  
Debtors.



Order Filed on September 29, 2016  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 15-24938-MBK

Adv. No.:

Hearing Date: 9/27/2016 @ 9:00 a.m..

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR  
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: September 29, 2016**

A handwritten signature of Michael B. Kaplan in black ink, written over a horizontal line.  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

(Page 2)

Debtor: Michael Capadona & Dawn E. Capadona

Case No: 15-24938-MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, M&T Bank, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 21 Indian Creek Road, Old Bridge, Matawan, NJ 07747, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Warren Brumel, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of September 1, 2016, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due May 1, 2016 through September 1, 2016 with \$97.20 in suspense for a total post-petition default of \$13,809.55 (5 @ \$2,781.35 less suspense balance of \$97.20)

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$13,809.55 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume October 1, 2016, directly to Secured Creditor, M&T Bank, P.O. Box 1288, Buffalo, NY 14240 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$176.00 for filing fees, totaling \$526.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Michael P Capadona  
Dawn E Capadona  
Debtors

Case No. 15-24938-MBK  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 2

Date Rcvd: Sep 29, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 01, 2016.

db #+Michael P Capadona, 21 Indian Creek Road, Matawan, NJ 07747-3707  
jdb +Dawn E Capadona, 21 Indian Creek Road, Matawan, NJ 07747-3707

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 01, 2016

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 29, 2016 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor M&T Bank bankruptcynotice@zuckergoldberg.com,  
bkgroup@kmlawgroup.com  
John R. Morton, Jr. on behalf of Creditor Hyundai Motor Finance, servicer for Hyundai Lease  
Titling Trust mortonlaw.bcraig@verizon.net, donnal@mortoncraig.com/mhazlett@mortoncraig.com  
Joshua I. Goldman on behalf of Creditor M&T Bank jgoldman@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Marlena Miller on behalf of Creditor Anchorage Harbor Association, Inc.  
mmiller@theassociationlawyers.com  
Warren Brumel on behalf of Joint Debtor Dawn E Capadona wbrumel@keyportlaw.com,  
BrumelLawECF@gmail.com  
Warren Brumel on behalf of Debtor Michael P Capadona wbrumel@keyportlaw.com,  
BrumelLawECF@gmail.com

TOTAL: 7